

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 459 – SB 456

June 5, 2009

SUMMARY OF AMENDMENT (009444): Authorizes the Council of Juvenile and Family Court Judges to establish and administer a program to fully or partially reimburse counties for costs associated with inpatient mental health evaluations and examinations conducted on juveniles charged with an offense which would constitute a felony if committed by an adult. The program may also reimburse counties for the costs of detention incurred while obtaining an outpatient evaluation or examination at a detention facility located in another county.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$7,236,700

Increase Local Expenditures - \$75,600

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures - \$600,000/FY09-10

Funding for this bill as amended in the amount of \$600,000 is included in the Administration Amendment to the appropriations bill.

Assumptions applied to amendment:

- The Department of Mental Health and Developmental Disabilities (DMHDD) ceased payments of court ordered inpatient mental health evaluations of juveniles who had been charged with commission of an offense that would be a felony if committed by an adult on September 1, 2008, as a result of the Court of Appeals decision *In Re J.B. (E2007-01467-COA-R3-JV)*.
- According to the Department, the number of both court ordered inpatient and outpatient evaluations were significantly reduced after September 1, 2008, due to the counties not having the resources to fund

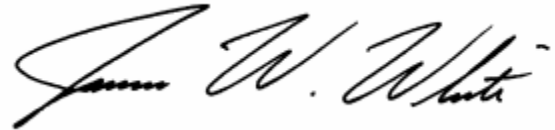
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court ordered inpatient evaluations that resulted from a previously ordered outpatient evaluation.

- The bill as amended authorizes the state to appropriate funds to the Council of Juvenile and Family Court Judges to assist counties in paying for juvenile mental health evaluations.
- The Administration Amendment to the appropriations bill includes a non-recurring appropriation of \$600,000 for FY09-10 for this purpose.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/kml